

1 CHIEF JUDGE MARSHA J. PECHMAN
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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,) No. CR15-211-MJP
9 Plaintiff,)
10 v.) ORDER GRANTING
11 JOHN EMMETT BROWN, JR. and) JOINT STIPULATED MOTION TO
12 DERRECK LOUIS CARTER,) CONTINUE TRIAL AND
13 Defendants.) PRETRIAL MOTIONS DATES

14 THE COURT has considered the joint stipulated motion of the parties to
15 continue the trial date and pretrial motions deadline and finds that:

16 (a) taking into account the exercise of due diligence, a failure to grant a
17 continuance in this case would deny counsel for the defendant the reasonable time
18 necessary for effective preparation due to counsel's need for more time to review the
19 evidence, consider possible defenses, and gather evidence material to the defense, as set
forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

20 (b) a failure to grant such a continuance in this proceeding would likely result in
21 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

22 (c) the additional time requested is a reasonable period of delay, as the defendant
23 has requested more time to prepare for trial, to investigate the matter, to gather evidence
24 material to the defense, and to consider possible defenses; and

(d) the ends of justice will best be served by a continuance, and the ends of justice outweigh the best interests of the public and the defendant in any speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A); and

(e) the additional time requested between the current trial date of August 24, 2015, and the new trial date is necessary to provide counsel for the defendant the reasonable time necessary to prepare for trial, considering counsel's schedule and all of the facts set forth above.

(f) that the period of delay from the date of this order to the new trial date is excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

IT IS THEREFORE ORDERED that the trial date in this matter shall be continued to March 21, 2016, and that pretrial motions shall be filed no later than January 6, 2016.

DONE this 6th day of August, 2015.



Marsha J. Pechman
United States District Judge

Presented by:

s/ *Mohammad Hamoudi*
Assistant Federal Public Defender
Attorney for John Brown